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Apr 10 2023

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Georgetown County
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2019-CP-22-00961
Appellate Case No. 2020-001167

Kevin Greene,
as Attorney in Fact for and on Behalf of
Eleanor Greene Wragg,

Respondent,

v.

Palmetto Prince George Operating, LLC
d/b/a Prince George Healthcare Center;
Palmetto Health Care, LLC;
Murray Forman, Individually; and
Richard Porter, Individually,

Defendants.

Of whom Palmetto Prince George Operating, LLC
d/b/a Prince George Healthcare Center;
Palmetto Health Care, LLC; and
Richard Porter, Individually, are the

Appellants.

**APPELLANTS' MOTION FOR EXTENSION OF TIME
TO PETITION FOR REINSTATEMENT/REHEARING**

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Russell G. Hines (SC Bar No. 72100)
Matthew O Riddle (SC Bar No. 76650)
Gaillard T. Dotterer, III (SC Bar No. 103620)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Appellants

NOW COME Appellants, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move this Honorable Court for an extension of fifteen (15) days' time to file/serve any petition for reinstatement/rehearing in this matter.

By order filed March 24, 2023, this Court dismissed this appeal as moot. Accordingly, pursuant to Rules 221(a) ("Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court."), 260(a) ("The clerk shall remit the case to the lower court or administrative tribunal in accordance with Rule 221 unless a motion to reinstate the appeal has been actually received by the court within fifteen (15) days of filing of the order of dismissal (the day of filing being excluded)."), and 263(a) ("In computing any period of time prescribed or allowed by these Rules, by order of court, or by any applicable statute, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a state or federal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor such holiday."), SCACR, the present deadline for Appellants to file/serve any petition for reinstatement/rehearing is today, April 10, 2023.

Appellants are still in the process of determining whether they wish to

petition for reinstatement/rehearing in this matter, and because of work-related and other time commitments, the undersigned is in need of additional time in this regard, and accordingly, the undersigned requests the Court's allowance of an additional 15 days' time to prepare any petition for reinstatement/rehearing on behalf of Appellants. The undersigned submits that there is good cause to grant the requested relief, which, the undersigned submits, is a reasonable dispensation that is consistent with the interests of justice and will not result in any undue prejudice to Respondent or delay.

WHEREFORE, Appellants move for an extension of 15 days' time, i.e., from today, Monday, April 10, 2023, to Tuesday, April 25, 2023, to file/serve any petition for reinstatement/rehearing. ADDITIONALLY, Appellants respectfully request that the Court hold the present deadline in abeyance until it acts upon this motion.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Russell G. Hines (SC Bar No. 72100)
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Attorneys for Appellants

Charleston, South Carolina

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PROOF OF SERVICE

CLEMENT RIVERS, LLP

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, counsel for Appellants, do hereby certify that **APPELLANTS' MOTION FOR EXTENSION OF TIME TO PETITION FOR REINSTATEMENT/REHEARING** was served on all other parties to this matter on April 10, 2023, via email (see attached) to Respondent's following counsel of record:

Dirk J. Derrick, Esquire
dirk.derrick@derricklawfirm.com
S. Taylor Hooven, Esquire
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The Derrick Law Firm
P.O. Box 28
Conway, SC 29528
Attorneys for Respondent

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
Attorneys for Appellants

Charleston, South Carolina

April 10, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Monday, April 10, 2023 2:12 PM
To: 'dirk.derrick@derricklawfirm.com'; 'taylor.hooven@derricklawfirm.com'
Cc: Davis, Jay; Riddle, Matthew; Dotterer III, Gaillard T. (Gilly); Hines, Russell; Justman, Aimee
Subject: Greene v. Palmetto Prince George ; Appellate Case No. 2020-001167
Attachments: 2020-001167 (Greene v. Palmetto) -- Mot. for Ext re Reinstatement.pdf

Enclosed please find Appellants' Motion for Extension of Time to Petition for Reinstatement/Rehearing which we intend to file today in the above-referenced matter.

Thank you,

Pollyana Bell
Project Assistant
Commercial Litigation Practice Group
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